

FILED

OCT 01 2007

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SANTIAGO CURIEL,

Defendant - Appellant.

No. 06-50289

D.C. No. CR-05-00889-RSWL-1

MEMORANDUM^{*}

Appeal from the United States District Court
for the Central District of California
Ronald S.W. Lew, District Judge, Presiding

Submitted September 24, 2007^{**}

Before: CANBY, TASHIMA, and RAWLINSON, Circuit Judges.

Santiago Curiel appeals from his 262-month sentence for conspiracy to possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 846.

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Curiel has filed a brief stating there are no grounds for relief, and a motion to withdraw as counsel of record. No pro se supplemental brief or answering brief has been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 82-83 (1988), discloses no grounds for relief on direct appeal of the conviction or of the conditions of supervised release. Because Curiel waived his right to appeal the sentence imposed, we enforce the waiver and dismiss the appeal of the sentence. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000).

Counsel's motion to withdraw is **GRANTED**.

We find no error in any of the non-standard conditions of supervised release. The appeal of the sentence is **DISMISSED**.